

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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**KENNEDY FUNDING, INC.,** :  
:  
**Plaintiff** :  
:  
v. : **Civil Action No. 07-669(FSH)**  
:  
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**RUGGERS AQUISITION AND  
DEVELOPMENT, LLC. ET AL.** :  
:  
:

**Defendants** :  
:  
:

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**JM REALTY & INVESTMENTS,** :  
:  
:

**Plaintiff** :  
:  
v. : **Civil Action No. 07-218(FSH)**  
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**KENNEDY FUNDING, INC.,** :  
:  
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**Defendants** :  
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This matter having come before the Court for a telephone status conference on December 5, 2007; and the parties having advised the Court of various discovery issues; and the Court having considered the representations of the parties; and for good cause shown,

IT IS ON THIS 5th day of December, 2007

ORDERED that the parties in the Ruggers case shall confer about the dates for out of state depositions;

IT IS FURTHER ORDERED that, no later than **December 10, 2007**, JM Realty shall provide Kennedy with a letter either enclosing the documents described in Kennedy's November 16, 2007 letter to JM Realty or a date on which such documents will be produced and shall confirm JM's representatives appearance at the deposition on December 13, 2007;

IT IS FURTHER ORDERED that the request to extend the November 19, 2007 deadline to December 4, 2008 to serve seven interrogatories directed to the factually-based affirmative defenses is granted without prejudice to Kennedy's right to evaluate whether or not the interrogatories comply with the Order dated November 12, 2008 and Kennedy's response to these interrogatories shall be served no later than **January 8, 2008**;

IT IS FURTHER ORDERED that, no later than **December 6, 2007**, Ruggers shall provide Kennedy with its portion of the joint letter concerning Ruggers' request that Kennedy identify the sources of funding referred to in its supplemental response to Interrogatory No. 16 and the joint letter shall be submitted to the Undersigned no later than **December 11, 2007**; and

IT IS FURTHER ORDERED that all other deadlines remain unchanged.

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s/Patty Shwartz

UNITED STATES MAGISTRATE JUDGE